

NORTHERN New Mexico College



January 9, 2015

Annette Rodriguez
PO Box 963
Chimayo, NM 87522

Dear Ms. Rodriguez:

By the date of this letter, Northern New Mexico College has responded to most of the more than 30 IPRA requests that you have made. However, in attempting to gather some of the remaining materials, it has become clear that many of your particular requests are so vague or unclear that it renders the search process impossible. At the same time, many of your requests seek materials that are excepted from IPRA. The purpose of this letter is to pinpoint the lack of clarity in your requests so that you might consider narrowing or clarifying the requests. I also will point out where the College believes your requested materials are excepted from IPRA.

First, in two IPRA requests dated June 17, 2014, you seek substantially the same materials from the NNMC American Indian Center and from the NNMC American Indian Affairs Office. There are multiple practical and logistical problems with your requests:

- 1) You start by asking for all “logs, email communications, correspondence”.... By the “director, staff, employees, interns, consultants or contractors” dating back to 2009. This request essentially asks for every piece of paper created by anyone associated with the program for 5 years. Please consider narrowing your request, providing the College with some indication of subject matter or persons relevant to your request. The College believes that such an unwieldy, vague and overbroad request renders efforts at responding almost impossible.
- 2) Your second bullet is similarly overbroad and vague. It also seeks personnel data and attorney client privileged material that is IPRA excepted.
- 3) Bullets 3-6 and 11 are similarly unclear/vague and overly broad so as to render a full response impossible.

While the College is attempting to fully respond to you under the limitations of IPRA, you have a responsibility to provide clear guidance for exactly the materials you seek and to avoid vague and indecipherable requests. As they currently exist, your requests provide very little guidance on even generally what you are seeking. Many

of your requests require the College to make subjective judgments about what you mean and what would be covered (i.e. “data that provide information useful to support and enhance equity, diversity and inclusion initiatives”; “external planning and reports”; “applicant tracking capabilities”; documents “ensuring compliance with federal, state and local compliance obligations”; “curricular and pedagogical development”). I encourage you to reconsider and resubmit your requests that will allow a focused review for the materials you seek in the June 17, 2014, requests.

In another letter from June 17, 2014, you request multiple documents related to the steering committee for the Historias de Nuevo Mexico Conference. Please be advised that this conference, nor the steering committee, were controlled by NNMC. Furthermore, the steering committee is not a standing committee of the College, is not bound by the Open Meetings Act, and to our knowledge, did not maintain minutes with the College. NNMC will provide anything it has, but it does not likely maintain any such documents.

In a similar request on June 2, 2014, you ask for contracts, leases rental agreements, and purchase orders, among other things associated with the same Conference. Again, the College will provide anything it has that is responsive to the request, but generally, the College does not have or maintain the paperwork associated with the Conference.

Finally, in another request dated June 2, 2014, you seek NNMC’s records from the Office of Diversity and Equity. Please be advised that records that involve identifiable student education records are exempt under FERPA and IPRA, and matters of opinion regarding investigations and potential disciplinary actions of staff are similarly exempt. Redacting personal identifiers such as Social Security Numbers or birthdays does not render the exempted record available under IPRA. In addition, even if your request sought accessible records, the requests are vague, unclear, and overbroad. Keeping the limitations in mind on access to such materials and the vagueness problems, the College requests that you considerably narrow this request. In the meantime, the College will endeavor to provide you with materials that are not excepted under IPRA and which can be reasonably gleaned from your existing request.

As a logistical matter, while the College had previously listed Tuesday, January 13, 1:00 pm to 4:00 pm and Wednesday, January 14, 9:00 am to 12:00 pm as an inspection option, that time coincides with the College’s convocation, which necessarily will require the presence of employees who would otherwise be monitoring your inspection. In lieu of that time, the College will add an additional date for inspection, Friday, January 16, 9:00 am to 12:00 pm and 1:00 pm to 4:00 pm, to the other multiple days that it has offered you for inspection, which currently include: Tuesday, January 13, 9:00 am to 12:00 pm, Wednesday, January 14, 1:00 pm to 4:00 pm and Thursday, January 15, 2015 from 9:00 am to 12:00 pm and 1:00 pm to 4:00 pm.

Please confirm which dates and times you will be inspecting documents here at the College so that we can secure a room. If we do not hear back from you by 5:00 pm on Monday, January 12, 2015, we will assume that you will not be inspecting records on any of the dates/times offered.

I will look forward to hearing from you and to bringing your inspection efforts to a reasonable conclusion.

Sincerely,

A handwritten signature in cursive script that reads "Brandi Cordova".

Brandi Cordova
NNMC Public Records Custodian